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6 BILL NO. G-80-10-31 (AS AMENDED)

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GENERAL ORDINANCE NO. G-  *vetoed 25-80*

AN ORDINANCE REQUIRING PUBLIC UTILITIES  
OWNED BY THE CITY OF FORT WAYNE, INDIANA,  
TO SUBMIT ANNUAL SALARY ORDINANCE TO THE COMMON  
COUNCIL OF THE CITY OF FORT WAYNE, INDIANA

WHEREAS, the City of Fort Wayne, Indiana, owns and  
operates the Water Department, Sewer Department, and owns and  
does not operate City Light and Power Department and these  
utilities are sometimes referred to as Water and Power Depart-  
ment respectively; and,

WHEREAS, said departments are under the general  
supervision of the Board of Public Works of the City of Fort  
Wayne, Indiana, but the Common Council of the City of Fort  
Wayne, Indiana, has the power to determine by ordinance the  
requirement of such public utilities to submit annual salary  
ordinances to the Common Council for its approval; and,

WHEREAS, The Common Council of the City of Fort Wayne,  
Indiana desires that said Public Utilities shall annually  
submit a salary ordinance to the Common Council for its  
approval.

NOW THEREFORE, Be It Ordained by the Common Council  
of the City of Fort Wayne, Indiana as follows:

SECTION 1.

It shall be the duty of the Mayor of the City and the  
City Controller to annually prepare a salary ordinance for  
all public utilities owned and operated by the City of Fort  
Wayne, Indiana, for the next succeeding calendar year for

for submittal to and approval by the Common Council of the City of Fort Wayne, Indiana:

SECTION 2.

Said salary ordinance shall be on a calendar year basis and shall be submitted to Common Council on or before December 1, 1980, for the first succeeding year and thereafter on or before September 1 of each year thereafter for each subsequent calendar year. The Common Council shall act promptly on said salary ordinance shall pass said salary ordinance on or before the last day of the month of the year in which it is submitted. In the event that the Common Council of the City of Fort Wayne, Indiana, does not act on said salary ordinance so submitted on or before the last day of December 1980 or on the last day of November of each succeeding year then the proposed salary ordinance shall be deemed approved by the Common Council.

SECTION 3.

The Common Council of the City of Fort Wayne, Indiana, shall have the power to reduce said salaries but may not increase said salaries unless recommended by the Mayor of the City of Fort Wayne, Indiana.

SECTION 4.

Any person violating this ordinance shall be guilty of a misdemeanor and shall be subject to a fine not in excess of \$500 and said person may be subject to removal from office.

SECTION 5.

This ordinance shall be in full force and effect from and after its passage by the Common Council, approval by the Mayor, and legal publication thereof.

SECTION 6.

This ordinance shall be deemed repealed two (2) years from the date of passage.

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Councilman

2 AN ORDINANCE REQUIRING PUBLIC UTILITIES  
3 OWNED BY THE CITY OF FORT WAYNE, INDIANA,  
4 TO SUBMIT ANNUAL BUDGETS TO THE COMMON  
COUNCIL OF THE CITY OF FORT WAYNE, INDIANA.

5 WHEREAS, the City of Fort Wayne, Indiana, owns and  
6 operates the Water Department, Sewer Department, and owns and  
7 does not operate City Light and Power Department and these  
8 utilities are sometimes referred to as Water and Power Depart-  
9 ment respectively; and,

10 WHEREAS, said departments are under the general supervi-  
11 sion of the Board of Public Works of the City of Fort Wayne,  
12 Indiana, but the Common Council of the City of Fort Wayne,  
13 Indiana, has the power to determine by ordinance the require-  
14 ment of such public utilities to submit annual budgets to the  
15 Common Council for its approval; and,

16 WHEREAS, the Common Council of the City of Fort Wayne,  
17 Indiana desires that said Public Utilities shall annually  
18 submit budgets to the Common Council for its approval.

19 NOW THEREFORE, Be It Ordained by the Common Council of  
20 the City of Fort Wayne, Indiana as follows:

21 SECTION 1.

22 It shall be the duty of the *Superintendent* of all Public  
23 Utilities owned and operated by the City of Fort Wayne, Indiana,  
24 to annually prepare budgets for the next succeeding calendar  
25 year for submittal to and approval by the Common Council of  
26 the City of Fort Wayne, Indiana;

27 SECTION 2.

28 Said budgets shall be presented to the Mayor of the  
29 City of Fort Wayne, Indiana for his recommendations. Said  
30 budgets shall then promptly be presented to the Common Council  
31 in ordinance form setting forth proposed appropriations for use  
32 of said Public Utilities so owned and operated by the City of  
Fort Wayne, Indiana, and estimates of the revenue to be

received from said utilities together with a statement of revenues received in the last complete calendar year.

SECTION 3.

Said budgets shall be on a calendar year basis and shall be submitted to Common Council on or before December 1, 1980, for the first succeeding year and thereafter on or before ~~November 1~~ <sup>Sept. 1</sup> of each year thereafter for each subsequent calendar year. The Common Council shall act promptly on said budgets and shall pass said budgets on or before the last day of the month of the year in which they are submitted. In the event that the Common Council of the City of Fort Wayne, Indiana, does not act on said budgets so submitted on or before the last day of December 1980 or on the last day of November of each succeeding year then the budgets previously passed by the Common Council for the preceding calendar year of said utility shall remain in effect.

SECTION 4.

The Common Council of the City of Fort Wayne, Indiana, shall have the power to reduce said ~~budgets~~ <sup>salaries</sup> but may not increase said budgets unless recommended by the Mayor of the City of Fort Wayne, Indiana.

SECTION 5.

Any person violating this ordinance shall be guilty of a misdemeanor and shall be subject to a fine not in excess of \$500 and said person may be subject to removal from office.

SECTION 6.

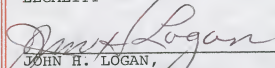
None of such utility funds in such budgets shall be used for other than the utility functions of the Public Utility for which they are budgeted, without Common Council of the City of Fort Wayne, Indiana approval by ordinance.

SECTION 7.

This ordinance shall be in full force and effect from and after its passage by the Common Council, approval by the Mayor, and legal publication thereof.

  
COUNCILMAN

APPROVED AS TO FORM AND  
LEGALITY

  
JOHN H. LOGAN,  
Attorney for the Common Council  
of the City of Fort Wayne, Indiana

Fort Wayne Board  
of Education

Read the first time in full and on motion by Burns, seconded by Decker, and duly adopted, read the second time by title and referred to the Committee City Clerk (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on \_\_\_\_\_, 19\_\_\_\_, the \_\_\_\_\_ day of \_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M., E.S.T.

DATE: 10-14-80

Charles W. Westerman  
CHARLES W. WESTERMAN  
CITY CLERK

Read the third time in full and on motion by Burns, seconded by Eisbart, and duly adopted, placed on its passage. PASSED (~~Lost~~) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>8</u>	<u>0</u>	_____	<u>1</u>	_____
<u>BURNS</u>	<u>X</u>	_____	_____	_____	_____
<u>EISBART</u>	<u>X</u>	_____	_____	_____	_____
<u>GIAQUINTA</u>	<u>X</u>	_____	_____	_____	_____
<u>NUCKOLS</u>	<u>X</u>	_____	_____	_____	_____
<u>SCHMIDT, D.</u>	_____	_____	_____	<u>X</u>	_____
<u>SCHMIDT, V.</u>	<u>X</u>	_____	_____	_____	_____
<u>SCHOMBURG</u>	<u>X</u>	_____	_____	_____	_____
<u>STIER</u>	<u>X</u>	_____	_____	_____	_____
<u>TALARICO</u>	<u>X</u>	_____	_____	_____	_____

DATE: 11-25-80

Charles W. Westerman  
CHARLES W. WESTERMAN - CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL) (APPROPRIATION) ORDINANCE (RESOLUTION) No. 2-25-80 on the 25th day of November, 19 80.

ATTEST:  
Charles W. Westerman  
CHARLES W. WESTERMAN - CITY CLERK

(SEAL)  
Vivian J. Schmidt  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of November, 19 80, at the hour of 2:30 o'clock P. M., E.S.T.

Charles W. Westerman  
CHARLES W. WESTERMAN - CITY CLERK

Approved and signed by me this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at the hour of \_\_\_\_\_ o'clock \_\_\_\_\_ M., E.S.T.

Ordinance Voted by Mayor Moses - see attached letter.

Winfield C. Moses, Jr.  
MAYOR



Read the first time in full and on motion by \_\_\_\_\_, seconded by \_\_\_\_\_, and duly adopted, read the second time by title and referred to the Committee \_\_\_\_\_ (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on \_\_\_\_\_, 19\_\_\_\_, the \_\_\_\_\_ day of \_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M., E.S.T. \*

DATE: \_\_\_\_\_

CHARLES W. WESTERMAN  
CITY CLERK

Read the third time in full and on motion by Burns, seconded by Stier, and duly adopted, placed on its passage. PASSED (LOST) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>3</u>	<u>6</u>	_____	_____	_____
<u>BURNS</u>	<u>X</u>	_____	_____	_____	_____
<u>EISBART</u>	<u>X</u>	<u>X</u>	_____	_____	_____
<u>GIAQUINTA</u>	_____	<u>X</u>	_____	_____	_____
<u>NUCKOLS</u>	<u>X</u>	<u>X</u>	_____	_____	_____
<u>SCHMIDT, D.</u>	<u>X</u>	<u>X</u>	_____	_____	_____
<u>SCHMIDT, V.</u>	_____	<u>X</u>	_____	_____	_____
<u>SCHOMBURG</u>	<u>X</u>	_____	_____	_____	_____
<u>STIER</u>	<u>X</u>	_____	_____	_____	_____
<u>TALARICO</u>	_____	<u>X</u>	_____	_____	_____

DATE: 12-9-80

Charles W. Westerman  
CHARLES W. WESTERMAN - CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL) (APPROPRIATION) ORDINANCE (RESOLUTION) No. \_\_\_\_\_

on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

ATTEST:

(SEAL)

CHARLES W. WESTERMAN - CITY CLERK

PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at the hour of \_\_\_\_\_ o'clock \_\_\_\_\_ M., E.S.T.

CHARLES W. WESTERMAN - CITY CLERK

Approved and signed by me this \_\_\_\_\_ day of

19\_\_\_\_, at the hour of \_\_\_\_\_ o'clock \_\_\_\_\_ M., E.S.T.

Winfield C. Moses, Jr.  
MAYOR

Mayor's  
Veto is upheld -

BILL NO. G-80-10-31 *(extended)*

REPORT OF THE COMMITTEE ON CITY UTILITIES

WE, YOUR COMMITTEE ON CITY UTILITIES TO WHOM WAS REFERRED AN  
ORDINANCE REQUIRING PUBLIC UTILITIES OWNED BY THE CITY OF FORT  
WAYNE, INDIANA, TO SUBMIT ANNUAL BUDGETS TO THE COMMON  
COUNCIL OF THE CITY OF FORT WAYNE, INDIANA

HAVE HAD SAID ORDINANCE UNDER CONSIDERATION AND BEG LEAVE TO REPORT  
BACK TO THE COMMON COUNCIL THAT SAID ORDINANCE BE PASS *(extended)*

PAUL M. BURNS, CHAIRMAN

BEN EISBART, VICE CHAIRMAN

JOHN NUCKOLS

MARK GiaQUINTA

ROY SCHOMBURG

DATE 11-25-80 CONCURRED IN  
—CHARLES W. WESTERMAN, CITY CLERK



for submittal to and approval by the Common Council of the City of Fort Wayne, Indiana;

SECTION 2.

Said salary ordinance shall be presented to the Mayor of the City of Fort Wayne, Indiana, for his recommendations. Said salary ordinance shall then promptly be presented to the Common Council setting forth proposed appropriations for use of said Public Utilities so owned and operated by the City of Fort Wayne, Indiana, and estimates of the revenue to be received from said utilities together with a statement of revenues received in the last complete calendar year.

SECTION 3.

Said salary ordinance shall be on a calendar year basis and shall be submitted to Common Council on or before December 1, 1980, for the first succeeding year and thereafter on or before September 1 of each year thereafter for each subsequent calendar year. The Common Council shall act promptly on said salary ordinances shall pass said salary ordinance on or before the last day of the month of the year in which it is submitted. In the event that the Common Council of the City of Fort Wayne, Indiana, does not act on said salary ordinance so submitted on or before the last day of December 1980 or on the last day of November of each succeeding year then the proposed salary ordinance shall be deemed approved by the Common Council.

SECTION 4.

The Common Council of the City of Fort Wayne, Indiana, shall have the power to reduce said salaries but may not increase said salaries unless recommended by the Mayor of the City of Fort Wayne, Indiana.

SECTION 5.

Any person violating this ordinance shall be guilty of a misdemeanor and shall be subject to a fine not in excess of \$500 and said person may be subject to removal from office.

SECTION 5.

This ordinance shall be in full force and effect from and after its passage by the Common Council, approval by the Mayor, and legal publication thereof.

SECTION 6.

This ordinance shall be deemed repealed two (2) years from the date of its passage.

\_\_\_\_\_  
Councilman

1 BILL NO. G-80-10-31

GENERAL ORDINANCE NO. G-

2 *as amended*

3 AN ORDINANCE REQUIRING PUBLIC UTILITIES  
4 OWNED BY THE CITY OF FORT WAYNE, INDIANA,  
5 TO SUBMIT ANNUAL BUDGETS TO THE COMMON  
6 COUNCIL OF THE CITY OF FORT WAYNE, INDIANA.

7 WHEREAS, the City of Fort Wayne, Indiana, owns and  
8 operates the Water Department, Sewer Department, and owns and  
9 does not operate City Light and Power Department and these  
10 utilities are sometimes referred to as Water and Power Depart-  
11 ment respectively; and,

12 WHEREAS, said departments are under the general supervi-  
13 sion of the Board of Public Works of the City of Fort Wayne,  
14 Indiana, but the Common Council of the City of Fort Wayne,  
15 Indiana, has the power to determine by ordinance the require-  
16 ment of such public utilities to submit annual *Salary ordinances* ~~budgets~~ to the  
17 Common Council for its approval; and,

18 WHEREAS, the Common Council of the City of Fort Wayne,  
19 Indiana desires that said Public Utilities shall annually  
20 submit *a Salary ordinance* ~~budgets~~ to the Common Council for its approval.

21 NOW THEREFORE, Be It Ordained by the Common Council of  
22 the City of Fort Wayne, Indiana as follows:

23 SECTION 1.

24 It shall be the duty of the *Mayor of the City and the* ~~Superintendent of all Public~~  
25 *City Controller* ~~Utilities owned and operated by the City of Fort Wayne, Indiana,~~  
26 to annually prepare *a Salary ordinance for all Public Utilities* ~~budgets~~ for the *next succeeding calendar year of the City of FW*  
27 year for submittal to and approval by the Common Council of  
28 the City of Fort Wayne, Indiana;

29 SECTION 2.

30 Said *Salary ordinance* ~~budgets~~ shall be presented to the Mayor of the  
31 City of Fort Wayne, Indiana for his recommendations. Said  
32 *Salary ordinance* ~~budgets~~ shall then promptly be presented to the Common Council  
in ~~ordinance form~~ setting forth proposed appropriations for use  
of said Public Utilities so owned and operated by the City of  
Fort Wayne, Indiana, and estimates of the revenue to be

received from said utilities together with a statement of revenues received in the last complete calendar year.

### SECTION 3.

*Salary Ordinance*  
Said ~~budgets~~ shall be on a calendar year basis and shall be submitted to Common Council on or before December 1, 1980, for the first succeeding year and thereafter on or before ~~September~~ *November* 1 of each year thereafter for each subsequent calendar year. The Common Council shall act promptly on said ~~budgets~~ *Salary Ordinance* and shall pass said ~~budgets~~ *Salary Ordinance* on or before the last day of the month of the year in which ~~they are~~ *it is* submitted. In the event that the Common Council of the City of Fort Wayne, Indiana, does not *Salary Ordinance* act on said ~~budgets~~ so submitted on or before the last day of December 1980 or on the last day of November of each succeeding year then ~~the budgets previously passed by the Common Council for the preceding calendar year of said utility shall remain in effect.~~ *Proposed salary ordinance shall be deemed approved by the Common Council.*

### SECTION 4.

The Common Council of the City of Fort Wayne, Indiana, shall have the power to reduce said ~~budgets~~ *salaries* but may not increase said ~~budgets~~ *salaries* unless recommended by the Mayor of the City of Fort Wayne, Indiana.

### SECTION 5.

Any person violating this ordinance shall be guilty of a misdemeanor and shall be subject to a fine not in excess of \$500 and said person may be subject to removal from office.

### SECTION 6.

~~None of such utility funds in such budgets shall be used for other than the utility functions of the Public Utility for which they are budgeted, without Common Council of the City of Fort Wayne, Indiana approval by ordinance.~~

### SECTION 6.

This ordinance shall be in full force and effect from and after its passage by the Common Council, approval by the Mayor, and legal publication thereof.

*over*

## Section 7

This ordinance shall be deemed repealed two (2) years from the date of its passage.



# The City of Fort Wayne

## Office of the Mayor

December 9, 1980

Common Council Members  
Room 122, City Clerk's Office  
City-County Building  
Fort Wayne, Indiana 46802

To the Members of the Common Council:

As I indicated to you at our meeting last Wednesday night, I have elected not to sign ordinance No. G-80-10-31 (as amended) in favor of an ordinance providing for councilmanic review of non-union City Utility salaries only.

This ordinance is being referred to the Council tonight and will provide for review of non-union City Utility salaries beginning with 1982 budget preparation.

Your cooperation is, as always, appreciated.

Sincerely,

Win Moses, Jr.  
Mayor

WM/ra

MADE A MATTER OF RECORD  
DATE \_\_\_\_\_ CHARLES W. WESTERMAN, CITY CLERK